

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JONATHAN GRAHAM,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-24-0426-HE
)	
DAVID ROGERS,)	
)	
Respondent.)	

ORDER

Petitioner Jonathan Graham has filed a habeas corpus petition. Pursuant to 28 U.S.C. § 636(b)(1)(B),(C), the matter was referred to Magistrate Judge Amanda Maxfield Green for initial proceedings. On May 24, 2024, Judge Green issued a Report and Recommendation recommending the court dismiss petitioner's petition for writ of habeas corpus for lack of jurisdiction as an unauthorized second or successive petition. Petitioner was advised of his right to object to the Report and Recommendation, and he has filed a timely objection.


On August 10, 2020, petitioner filed a Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254 in this court, challenging his Oklahoma County convictions. The court found the petition untimely and dismissed it. *See Graham v. Pettigrew*, No. CIV-20-828-G, 2022 WL 9497308, at *2 (W.D. Okla. Oct. 14, 2022). Because he previously challenged his state convictions under § 2254 in this court, petitioner was required to obtain authorization from the Tenth Circuit to file this second/successive § 2254 habeas petition.

See 28 U.S.C. § 2244(b)(3)(A). Petitioner does not assert in either his petition or his objections that he obtained authorization from the Tenth Circuit to file his petition.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #10] and **DISMISSES** petitioner's petition for writ of habeas corpus for lack of jurisdiction as an unauthorized second or successive petition.

IT IS SO ORDERED.

Dated this 25th day of June, 2024.



JOE HEATON
UNITED STATES DISTRICT JUDGE